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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: Arnold S. Lipa; Joseph W. Epstein

Serial No.: 10/764,371

Group Art Unit: 1626

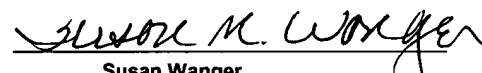
Filing Date: January 23, 2004

Examiner: Taofiq A. Solola

For: (-)-1-(3,4-DICHLOROPHENYL)-3-AZABICYCLO[3.1.0]HEXANE,
COMPOSITIONS THEREOF, AND USES AS A DOPAMINE-
REUPTAKE INHIBITOR

I, Susan Wanger certify that this correspondence is being deposited with the U.S. Postal Service as First Class mail in an envelope addressed to Mail Stop RCE, the Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450.

On November 14, 2005.


Susan Wanger

Commissioner for Patents
P. O. Box 1450
Alexandria, Virginia 22313-1450

RESPONSE

This response is submitted supplemental to the Amendment previously submitted on August 3, 2005. This submission is proper in light of the Request for Continued Examination previously filed in this case. This submission is further responsive to the Advisory Action dated September 16, 2005. No fees are required by this submission.

Patentability Under 35 USC § 103

Claims 25, 30, and 45-48 are rejected under 35 USC § 103(a) as allegedly unpatentable over Beer et al., US 6,204,284.

Applicants respectfully submit that the subject matter of claims 25, 30, and 45-48 is neither disclosed nor suggested by Beer et al., US 6,204,284 for reasons set forth herein and otherwise of record in the application (see, e.g., Amendment dated August 3, 2005, incorporated herein).

To properly assess the issues of obviousness presented in the instant case, the Office's attention is respectfully directed to the Federal Circuit's decision in In re Pleuddemann (15 USPQ2d 1738, 1990). In this case, the court reviewed patentability of claims directed to